FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR.

Civil Application No. 4922/2007 IN Second Appeal No. 200/2007(DECIDED)

(Biharilal Matasharan Dubey **VERSUS** Trivenibai Narsinghdas Goyal & another **)**

Appeal
Application No.
Writ petition

District :
of 200

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's Orders

Shri Borkar, Advocate for the applicant.

CORAM : Smt. Vasanti A. Naik, J.
DATE : 20th July, 2007.

The prayer made in the civil application cannot be entertained at this stage. This Court had by an order dated 15.06.2007 dismissed the second appeal filed by the appellant. As a result of the dismissal of the second appeal, the respondent to the second appeal was entitled to the possession of the suit property.

By this civil application, the applicant seeks 6(six) months' time to vacate the suit premises. I do not feel that it would be just and proper to issue notice on the civil application to non-applicants herein. The aforesaid prayer could have been made by the appellant when the

matter was being dismissed on 15.06.2007. Great prejudice would be caused to the non-applicants in case a notice of this civil application is issued to them at this stage as they would be required to put in their appearance before this Court so as to defend or agree to the prayer made in the civil application.

The civil application is, therefore, dismissed and disposed of.

JUDGE

APTE